

## MRS. STILLMAN NOW TO TAKE OFFENSIVE

Affirmative Defence Will Be Abandoned and a Divorce Demanded.

### COMBINES TWO SUITS

Action Is Based on Favorable Turn Resulting From Recent Testimony.

### CHANCE FOR SETTLEMENT

Another Amendment to Be Made to Banker's Charges to Clear Way for Referee.

So favorable has been the testimony thus far for Mrs. Anne Urquhart Potter Stillman in her husband's divorce suit that her attorneys are preparing again to amend her answer, this time abandoning the affirmative defence and substituting a request that she be granted a divorce from James A. Stillman.

It has been hinted several times since the suit was started nearly a year ago that if Mrs. Stillman won she would follow this up with a counter action for divorce, but at no time was it suggested that both suits would be tried at the same time. John F. Brennan, chief counsel for Mrs. Stillman, is said now to feel his client's interest would be served best by an amalgamation of the two suits.

The decision to do this was reached during the last forty-eight hours, it is said, and was based on the favorable turn the suit took last week for Mrs. Stillman and Baby Guy. Lawyers who have been following the developments feel certain the allegations, so far as they affect Guy, have collapsed completely. In respect to Mrs. Stillman, the witnesses placed on the witness stand by the banker's lawyers contradicted themselves so much that Mrs. Stillman's representatives contend they cannot understand how Referee Gleason can render a decision in favor of Mr. Stillman.

When the suit was started last July, Mrs. Stillman merely offered a general denial of the allegations, through her attorneys of record, Cadwalader, Wickersham & Taft. She was on her way to Europe when the banker's lawyers summoned and complaint was served on her. Upon her return to this country, and at the suggestion of Mrs. Joseph A. Stillman, the banker's lawyer, Clarence Mackay, Mrs. Stillman retained the firm of Stanchfield & Levy, with the result that her answer was changed soon after from the general denial to one in which she made counter allegations as an "affirmative defence," naming Mrs. Florence H. Leeds, the former chorus girl, as co-defendant.

Under the present status of the suit Referee Gleason could not render a decision on the charges of Mrs. Stillman. He can say that they had been proved or had not been proved, as the banker's wife merely asks that her husband be found guilty of the same allegations which she lodged against her. But a further amendment of Mrs. Stillman's answer, asking for a decree, will enable the referee to decide in her favor, if Mr. Stillman's charges are found untrue, and those of his wife are proved. Mr. Stillman is said to be cognizant of the turn the suit has taken, and is because of this fact that rumors have been current for several days that a settlement was imminent. A settlement before Tuesday, when hearings are to be resumed at Poughkeepsie, is considered possible, but not probable. Further amending of Mrs. Stillman's answer merely would be a formal move consisting of the filing of a new amendment to Referee Gleason if it were not opposed by Nicolli, Anable, Fuller & Sullivan, the banker's attorneys. If a contest should develop, the question probably would be raised as to whether Court Justice Morschauer, before whom the suit was begun.

### RADICAL JUDICIARY CHANGES ARE URGED

Herman Westwood Sees Too Many Courts of Record.

Radical changes in the judiciary structure were advocated by Herman J. Westwood, lawyer, 211 Broadway, speaking yesterday at the hearing at the Bar Association Building before the Executive Committee of the Judiciary Constitutional Convention. Mr. Westwood laid a similar suggestion before the 1915 Constitutional Convention, of which he was a member.

Mr. Westwood would abolish all the courts of record, except the Court of Appeals and the Supreme Court. The former he would have composed of five members. One part of three members, he would have sit on a circuit. The other four parts, composed of seven members each, he would have sit in Albany to hear appeals direct from the Supreme Court Justices. Mr. Westwood, who had worked out his idea in most elaborate fashion, said the cost of his plan would be about the same as the present court system.

A committee of the State Surrogate Association appeared to oppose the suggestion that their courts be abolished. It was composed of Surrogates George A. Wiegman, Kings George M. S. Schulz, The Bronx; Seiden S. Brown, Monoc; James A. Foley, New York; and J. Harry Tierman, Richmond.

### FLATTENED PENNIES CHEAT SLOT MACHINES

Four Boys Arrested for Stamp Swindle.

Four ingenious boys were taken last night to the East Fifty-first street station, charged with flattening pennies and using them instead of quarters in postage stamp slot machines. For ten days detectives say the boys have been working their game on the stamp machines in the Grand Central Station.

The boys said they were Joseph and Vincent Zebrowski, 12 and 10 years old, respectively, of 325 East Fortieth street; Leonard Bishop, 16, of 328 East Fortieth street; and George Darrett, 15, of 315 East Fortieth street.

## Poker Portraits—Driven to a Two Handed Game of Rhum

CHARLIE MORRIS  
GAVE ME HIS WORD OF  
HONOR HE'D BE HERE.  
IF HE'D ONLY TOLD US  
HE WASN'T COMING WE  
COULDA ASKED SOMEONE  
ELSE. BILL JOHNSTONE  
SAID WE COULDN'T KEEP  
HIM AWAY WITH A CLUB.  
GALLOWAY SWORE  
HE'D BE ON DECK.  
LAST WEEK WE HAD  
EIGHT IN THE GAME  
AND THREE WAITING  
ON THE SIDELINES WITH  
THEIR TONGUES  
HANGING OUT

MAYBE SOMEONE'LL  
SHOW UP YET AN' WE  
CAN HAVE SOME STUP. IT'S  
ONLY ELEVEN O'CLOCK.  
DON'T S'POSE IT WOULD DO ANY  
GOOD TO PHONE ODD  
MCINTYRE OR BILL MACHARG  
OR VERNE PORTER. THEY'RE  
PROBABLY OUT ON A PARTY  
TO-NIGHT. WELL, I GUESS  
I'LL MELD THREE KINGS  
AND SAVE THIRTY POINTS



### Business Troubles

#### PETITIONS IN BANKRUPTCY.

The following petitions in bankruptcy were filed Thursday in the United States District Court:

**RALPH DE SANTIS**—Involuntary petition against Ralph de Santis, grocery store, 240 Broadway, The Bronx, in behalf of three creditors, Oceanic Cheese and Cheese Company, Inc., who claim \$147; Wilson & Co., \$115; and Marcus Silver, \$180. Liabilities are given as \$1,000 and assets \$300. Leon Dushow is attorney for the petitioners.

**MORRIS KOSLOW**—Voluntary petition by Morris Koslow, 1509 Lexington avenue, who places his liabilities at \$2,028 and no assets. Isidor Frankenberg is attorney for the bankrupt.

**SAUL GOLDMAN**—Voluntary petition by Saul Goldman, 1023 Southern Boulevard, The Bronx, who places his liabilities at \$2,107 and assets at \$1,500, stock in trade, \$200. S. S. Ryan is attorney for the bankrupt.

**ZAHRAH COMPANY, INC.**—Voluntary petition by the Zahrah Company, Inc., diamond making, 10 West Fifty-sixth street, who places his liabilities at \$20,498, of which \$12,412 are unsecured claims, and \$18,086 are secured claims, and \$18,100 assets, \$1,000 machinery, tools, etc., and \$17,100 debts due on open accounts. Ryan, Hoffmann & Down are attorneys for the bankrupt.

#### SCHEDULES IN BANKRUPTCY.

The following schedules in bankruptcy were filed Thursday in the United States District Court:

**ISIDORE WEINSTEIN & BROS., INC.**—Schedules of Isidore Weinstein & Bros., Inc., a retail store, who places his liabilities at \$1,307 and no assets. Joseph H. Lavy is attorney for the bankrupt.

**ELLENBOGEN & ALPERT, INC.**—The schedule of Ellenbogen & Alpert, Inc., against whom a petition was filed May 6, 1921, who places his liabilities at \$6,422 and assets of \$2,100. \$500 represents an automobile truck and \$1,600 debts due on open accounts. Abraham H. Albert is attorney for the bankrupt.

**COLUMBIA SUITCASE COMPANY, INC.**—Schedules of Columbia Suitcase Company, Inc., leather goods, 99 Spring street, who places his liabilities at \$3,250 and assets of \$2,200. \$1,000 represents an automobile truck and \$1,200 machinery, tools, etc., and \$1,200 debts due on open accounts. Shapira and Shapira are attorneys for the bankrupt.

#### JUDGMENTS FILED.

The following judgments were filed yesterday in the United States District Court:

**ALTMAN, Fred and Morris P.**—\$250.00.

**ANDER, KOCH, INC.**—\$4,331.01.

**ARMSTRONG, Benjamin S.**—\$1,267.41.

**ALBURN, Emanuel, and J. K. Reich**—\$250.00.

**BREWSTER & CO., INC.**—\$1,000.00.

**BURDETTE, Michael (Debita)**—\$1,000.00.

**BURDETTE, Michael (Credit)**—\$1,000.00.

**BURDETTE, Michael (Debita)**—\$1,000.00.

**BURDETTE, Michael (Credit)**—\$1,000.00.

#### SATISFIED JUDGMENTS.

The first name in that of the debtor, the second that of the creditor, and date when satisfied:

**HARRIS, David—City of N. Y.**—\$250.00.

**RAYNE, Charles—N. Y. City.**—\$1,000.00.

**DILLON, William—N. Y. City.**—\$1,000.00.

**ONATON, David—N. Y. City.**—\$1,000.00.

**WAVEZYNSKI, Albert & Elizabeth**—\$1,000.00.

### WOMAN SAYS MAYOR BEFOGS SCHOOL ISSUE

Denies Survey Was Inspired by 'Pro-Garyites.'

Mrs. Frederick C. Hodgdon, president of the Woman's Municipal League, wrote yesterday to Mayor Hylan criticizing him for his charge that recent surveys of the schools undertaken by women's organizations were inspired by persons who favored the Gary system and animated by political reasons.

"The recent survey has presented facts regarding the physical conditions of many of our schools," her letter said. "Nothing can be gained by attempting to before the issue by claiming it was undertaken by pro-Garyites or for political reasons. Facts speak for themselves. For a quarter of a century the Woman's Municipal League, the oldest woman's civic organization in the city, has been concerned to work with, not against, succeeding administrations, not for political reasons, but for the benefit of the community at large."

### NEGRO GUILTY AS SLAYER.

Jury Convicts William Bell of First Degree Murder.

William Bell, 28 years old, a negro, of 707 Myrtle avenue, Brooklyn, was found guilty of murder in the first degree yesterday by a jury before Judge Mitchell May in the Queens County Court. He was charged with having killed Milton Schaefer, the owner of a news stand and confectionery store in Corona, on last April 30.

### STOLEN AUTOMOBILES.

The police last night reported the following automobiles stolen in this city during the preceding twenty-four hours:

**Clauder** 1920 touring; license 21016 N. Y.; motor 0209.

**Oldsmobile** 1920 roadster; blue body, wire wheels; license 151846 N. Y.; motor 020202.

**Ford** 1920 touring; license 220506 N. Y.; motor 412081.

**Autocrat** two ton, 1916, closed body, maroon; license 828150 N. Y.; motor 15718.

**Bluff** 1920 touring; blue; license 40960 N. Y.; motor 13078.

**Ford** 1917 touring; license 271484 N. Y.; motor 13078.

**Chevrolet** 1920 touring; license 190123 N. Y.; motor 10182.

**Packard** 1916 touring; maroon; license 206410 N. Y.; motor 04917.

**Cleveland** 1921 sedan; dark blue; license 417 N. Y.; motor 31154.

## CITY INVESTIGATION EXTENDS TO A WIFE

Bernard A. Ruoff, Swasey's Assistant, Will Produce Spouse's Account.

Bernard A. Ruoff, assistant to Tax Commissioner Swasey, Republican district leader in Brooklyn, was called before the Legislative Investigating Committee yesterday in connection with an examination of affairs in the Tax Department.

During the inquiry it developed that some of Mr. Ruoff's property was in his wife's name. He is well to do and has considerable investments in mortgages, it was stated. The witness volunteered to produce a record of Mrs. Ruoff's holdings and that was accepted by the committee as entirely satisfactory.

The incident furnished David Hirschfeld, Commissioner of Accounts, with an opportunity to renew his attack on the committee. In a statement given out yesterday with the indictment of the city administration Hirschfeld charged that the bank accounts of the wives of many commissioners and other officials were being subpoenaed by the committee. The statement met with prompt denial from Senator Meyer, chairman of the committee.

Ruoff is a friend of the Mayor and member of the Democratic committee in the district where the Mayor resides in Bushwick. Hirschfeld said a transcript of the Mayor's bank account showed that every two weeks Mr. Hylan deposited his pay check from the city treasury against it for his living expenses. The Mayor has less money in the bank to-day than when he went into office. That information was not sought by the committee.

In his attack on the legislative investigation Hirschfeld said he knew the committee had contracted to spend the \$100,000 authorized for its expenses and that the cost of the inquiry to the State would be close to \$300,000.

Senator Meyer said he was unable to announce positively when public hearings will be started. The committee is ready to proceed, he added, but cannot begin until Elton R. Brown, chief counsel, arrives.

### W. C. REICK TO CONDUCT 'JOURNAL OF COMMERCE'

Will Assume Presidency of It in Near Future.

The New York Journal of Commerce and Commercial Bulletin publishes the following to-day:

"In the near future the presidency of the Journal of Commerce and Commercial Bulletin will be assumed by Mr. W. C. Reick, formerly president of The New York Herald and later the controlling owner of The New York Sun, which he subsequently sold to Mr. Frank A. Munsey.

"Mr. John W. Dodsworth will retire from the presidency, but the Dodsworth family will maintain their close interest in the Journal of Commerce and Commercial Bulletin and no change is contemplated in its established policy or general character.

"As a journalist of long experience and high reputation Mr. Reick may be depended upon to preserve the standards of service and influence which the management has invariably sought to establish. In future he will confine his activities to this paper in conjunction with the Dodsworth brothers."

### MAYOR ENDS RUMPUS BY O'BRIEN AND CRAIG

Shouting Match Starts Over Astoria Ferry.

Corporation Counsel O'Brien and Comptroller Craig held a twenty minute shouting match at yesterday's meeting of the Sinking Fund Commission and quiet was restored only when the Mayor cut the matter of contention out of context.

### Hoyt's Service, Inc. PLANNED ADVERTISING

116 West 32nd Street, New York

Boston - Cleveland - Springfield

### THE OLD NEST

was written by Rupert Hughes, and will stir all who see it and to their satisfaction. Its vivid drama and its light, shining comedy are bits of life.

A GOLDWYN RUPERT HUGHES SCREEN MASTERPIECE

OPENING TUESDAY, JUNE 28, at the ASTOR

### FEPROCTORS

5th Ave. BY 20th St.

23d St. NEAR B'WAY

58th St. NEAR M'AVENUE

125th St. PARK EX.

SPRINKLES June 24, 25, 26, 7:30 P. M. Sharp.

General Assembly of Spiritualists

Grand Hall Room Waldorf-Astoria.

ORGAN RECITAL FROM 7:30 TO 9 P. M.

Each Night the Famous Test Medium

JOHN SLATER

Seats Main Floor 50 Cents, Box Seats Only Reserved \$1.50 and \$1.00.

RIVOLI "LIFE"

BROADWAY AT 40TH ST.

RIALTO "APPEARANCES"

CRITERION "The Golem"

SPRINKLES "MILITARY PROLOGUE"

HIPODROME Twice Daily (Inc. MALCOLM STRAUSS)

THE TWICE BORN WOMAN

CAPITOL "WITHOUT BENEFIT OF DUB"

LUNA Pryor's Band

STEELCHASE "THE FUNNY PLACE"

FAUSADES "THE HENT PARE"

SALT WATER SURF BATHING NOW.

## COMPTROLLER DUNS BOARD OF EDUCATION

Demands Immediate Payment of \$770,000 Due Since 1918 for Claims.

Comptroller Charles L. Craig continued yesterday his attack upon the Board of Education by sending to the Board of Estimate a communication, for consideration to-day, demanding that delay end in the payment of more than \$770,000 which the Board of Education has owed since 1918 for services, supplies and material and refund of salaries due teachers.

At the same time the Comptroller communicated with Anning S. Prall, President of the Board of Education, and demanded that the Board of Education adopt to-day the necessary resolutions to discharge its obligations.

This \$770,000 of indebtedness, the Comptroller pointed out, is the result of the first acts of the Board of Education immediately after it was appointed by Mayor Hylan, in that the board spent right and left public money that never had been appropriated to it, which expenditure has since been held illegal by the Supreme Court and the Court of Appeals. In the same decision, handed down months ago, the court held that though illegally incurred, the claims were equitable and should be paid. In spite of that decision, the Comptroller charges, the Board of Education has withheld payment until today, when the Comptroller demands that the Board of Education pay the claims.

"It is quite clear," said the Comptroller, "that the thing uppermost in the minds of those sponsoring this operation was not the payment of teachers' salaries, pension liabilities or of equitable claims but to save the Board of Education from the stigma of illegality attached to its course of action and to transfer that stigma to the Comptroller and frustrate his efforts to deal with appropriations in the payment of claims in the manner provided by law."

The Comptroller wrote to David Hirschfeld, Commissioner of Accounts, who, at the instance of the Mayor, now is investigating Mr. Craig, demanding to know what became of the investigation the Mayor ordered him two years ago to make into the Board of Education. The following paragraph from the Comptroller's letter Hirschfeld indicated that the Comptroller contemplated action of some sort against the Commissioner:

"Please advise me whether such examination has been concluded, and if so whether the result thereof has been reported to the Board of Aldermen, as required by the charter, and, if not, when the completion of such examination and the submission of such report may be expected."

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SALT WATER SURF BATHING NOW.

## TRIMO

THE WORD THAT STANDS FOR

Superior

Pipe Wrenches

AND

Monkey Wrenches

FOR

SHOP, HOME and FARM

Trimo Wrenches for sale everywhere; with Steel Frames that will not break; but Guards that prevent accidental turning of the nut in close quarters.

FOR SALE BY ALL DEALERS

TRIMO MFG. CO., 101 LAVERGNE ST., NEW YORK

Close for the season on July 1st.

Pirie Mac Donald

Photographer of Men.

576 FIFTH AV. COR. 47TH ST.

### AMUSEMENTS.

AMERICA'S FOREMOST THEATRES & HITS.

WINTER GARDEN 8:30 MATS. 2:30

THE WHIRL OF NEW YORK

SHUBERT Theatre, 44th St. E. of W. Ave. 8:30 N. Y. City. W. & Sat. 2:30

JUST MARRIED

GEORGE ARLISS "THE GREEN GODDESS"

MOROSCO 8:30 MATS. 2:30

THE BAT

ELTINGE 8:30 MATS. 2:30

LADIES NIGHT

GARRICK 8:30 MATS. 2:30

MR. P. M. PASSES BY

ASTOR 8:30 MATS. 2:30

LAST WEEK BLASCO IBANEZ

4 HORSEMEN

CASINO LAST MATINEE TO-MORROW

HONEYDEW

FAREWELL! LAST 2 DAYS AT 44TH ST. Theatre

LYRIC 8:30 MATS. 2:30

QUEEN OF SHEBA

THEATRE 8:30 MATS. 2:30

FRANZ 8:30 MATS. 2:30

AUDREY MUNSON

CENTRAL 8:30 MATS. 2:30

YANKEE

PARK 8:30 MATS. 2:30

OVER THE HILL

THEATRE 8:30 MATS. 2:30

THEATRE 8:30 MATS. 2:30

THEATRE 8:30 MATS. 2:30

THEATRE 8:30 MATS. 2:30

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